

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

February 10, 2018

10:35 a.m.

MEMBERS PRESENT

Representative Justin Parish, Co-Chair
Representative Harriet Drummond
Representative John Lincoln
Representative George Rauscher
Representative Dan Saddler
Representative David Talerico
Representative Jonathan Kreiss-Tomkins (alternate)

MEMBERS ABSENT

Representative Zach Fansler, Co-Chair
Representative DeLena Johnson (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 264

"An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 264

SHORT TITLE: SHOPPING BAG FEES & RECYCLING

SPONSOR(S): REPRESENTATIVE(S) JOSEPHSON

01/08/18	(H)	PREFILE RELEASED 1/8/18
01/16/18	(H)	READ THE FIRST TIME - REFERRALS
01/16/18	(H)	CRA, L&C
01/30/18	(H)	CRA AT 3:00 PM BARNES 124
01/30/18	(H)	-- MEETING CANCELED --
02/10/18	(H)	CRA AT 10:00 AM BARNES 124

WITNESS REGISTER

REPRESENTATIVE ANDY JOSEPHSON
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, introduced HB 264.

LISA DELANEY, Staff
Representative Andy Josephson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 264 and answered questions on behalf of Representative Josephson, prime sponsor.

BIANCA TINKER, Environmental Coordinator
Native Village of Hooper Bay
Hooper Bay, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

BERNARD MURRAN
Hooper Bay, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

NICHOLAS WALSH, Hunting and Fishing Guide
Chugiak, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

PATRICIA FISHER, Participant
Mid-Valley Recycling;
Member

Mat-Su Zero Waste Coalition
Wasilla, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

LIZBETH JACKSON
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 264.

CAROL MONTGOMERY, Chair
Plastic Bag Committee
Mat-Su [Zero] Waste Coalition
Palmer, Alaska

POSITION STATEMENT: Suggested amendments to HB 264.

MOLLIE BOYER, Executive Director
Valley Community for Recycling Solutions
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 264.

MARY NANUWAK
Bethel, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

CAROL HOOVER

Eyak Preservation Council (EPC)
Cordova, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264.

ACTION NARRATIVE

[10:35:53 AM](#)

CO-CHAIR JUSTIN PARISH called the House Community and Regional Affairs Standing Committee meeting to order at 10:35 a.m. Representatives Lincoln, Drummond, Talerico, Rauscher, Saddler, and Parish were present at the call to order. Representative Kreiss-Tomkins (alternate) arrived as the meeting was in progress.

HB 264-SHOPPING BAG FEES & RECYCLING

[10:36:24 AM](#)

CO-CHAIR PARISH announced that the only order of business would be HOUSE BILL NO. 264, "An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."

[10:36:56 AM](#)

REPRESENTATIVE TALERICO questioned whether there had been sufficient public notice given for the bill hearing.

[10:37:26 AM](#)

The committee took an at-ease from 10:37 a.m. to 10:38 a.m.

[10:38:18 AM](#)

CO-CHAIR PARISH noted that HB 264 had been noticed two weeks ago, but the hearing was canceled. He stated his intent to hold public testimony open for the next hearing.

[10:38:54 AM](#)

REPRESENTATIVE ANDY JOSEPHSON, Alaska State Legislature, as prime sponsor, introduced HB 264. He stated that the world has

"a plastics problem," and in a former legislature, he had introduced a bill to ban microbeads, which are particles used in exfoliants, toothpaste, and other products. Because the microbeads cannot be collected through wastewater treatment, they end up in "all sorts of waters." He said the bill garnered interest of other states and the issue was taken up by U.S. Congress, which resulted in "a ban of sorts on microbeads." Representative Josephson said his interest in plastics continues; he sees plastic in the ocean when he kayaks. He said there are five gyres - massive areas in the ocean where plastic collects. He said plastic also "makes its way up to the Arctic." He explained that the idea for HB 264 came from that concern.

REPRESENTATIVE JOSEPHSON said there are several states that have taken on the issue of plastic bags. He noted that five communities in Alaska, including Hooper Bay and, most recently, Kodiak have "essentially banned plastic bags." He acknowledged that not using plastic bags would require some adjustment but said he thinks people can make that adjustment. He noted that "a powerful member of the other body" had expressed to him an interest in banning plastic bags, thus he maintained there is bipartisan interest in this topic. He said in January the City of Wasilla banned plastic bags. The Matanuska-Susitna (Mat-Su) considered a ban, but then decided that the ban in Wasilla "covered most of the problem." The City of Palmer has also expressed interest in the subject of banning plastic bags. He remarked that there has been a plastic bag stuck in a tree outside a court house since November [2017]. To the consideration that [banning plastic bags] would create a degree of inconvenience, he said he thinks it is important to "move the world forward" and "try to take on these issues."

[10:43:18 AM](#)

REPRESENTATIVE SADDLER asked for the definition of plastic bags.

[10:43:57 AM](#)

LISA DELANEY, Staff, Representative Andy Josephson, Alaska State Legislature, on behalf of Representative Josephson, prime sponsor, said the bill sponsor defines plastic bags, as addressed under HB 264, as being at least 2.25 mils and having handles.

[10:44:43 AM](#)

REPRESENTATIVE RAUSCHER offered his understanding that when the Mat-Su Borough had tabled the issue of plastic bags, the intent had been to tax the bags rather than ban them.

10:45:06 AM

REPRESENTATIVE JOSEPHSON said Representative Rauscher could be right, but in Wasilla it was an outright ban.

REPRESENTATIVE RAUSCHER, in response to the bill sponsor, offered his understanding that Glenn Allen had banned plastic bags.

10:46:09 AM

MS. DELANEY paraphrased the sponsor statement, which read as follows [original punctuation provided]:

Single-use plastic bags are harmful to our environment, our wildlife, and our economy. Researchers have shown that wildlife, such as caribou and moose, will eat plastic bags, which cannot be digested and will ultimately kill the animal - typically through starvation. There have been countless cases of birds dying from ingesting plastic fragments found on beaches, including single-use plastic bags. Plastics in the ocean get broken down into microplastics, which are finding their way into our seafood, which then finds its way onto our plates - along with whatever chemicals are leaching out of the plastic. For a subsistence state, this is unacceptable.

Our resources should not be succumbing to plastic pollution and our residents should not have to worry about their health after enjoying a subsistence harvest.

Health and well-being aside, plastic bag pollution is detrimental to the aesthetic of our beautiful state. Tourists come to Alaska to experience some of the most pristine wild places in America, not to see plastic-filled alders tarnishing our mountain-scapes.

It is up to us as a state to stop needless pollution and change wasteful behavior. Alaskan communities are

already stepping up and taking control; it's time the state follows suit.

HB 264 is an effort to reduce waste and pollution, and protect our renewable resources. I invite you to discuss this issue with me further and urge you to support this legislation.

MS. DELANEY said plastic bags are one of the major plastic offenders and are an easy target. They are overused and readily accessible, flimsy, easily windblown, yet easy to substitute with sturdier cloth bags. Plastic does not degrade; it breaks down into increasingly smaller pieces; contaminants stick to the pieces, which are then consumed by plankton and then work their way up the food chain. Many toxins are fat soluble, which accumulate in animal tissue, such as in Alaska salmon. She said polychlorinated biphenyl (PCB) are a problem in the marine environment and "one of the most common exposure pathways is through eating fish." She said one study done in British Columbia (B.C.) found that returning adult salmon were ingesting up to 91 microplastic particles per day. She said globally an estimated 100,000 whales, turtles, and seals dies annually from plastic. She noted that subsistence communities in Alaska rely on whale and seal for food.

[10:49:20 AM](#)

MS. DELANEY asked the question: "Why not an outright ban?" She said bans tend to be more common nationally and "get right to the point." The sponsor's rationale was to give people a choice to pay for a [plastic] bag or buy a reusable bag. She indicated the reason for the adjustment period [under HB 264] would help people "transition to alternatives." She relayed that revenue was also an issue. She said the sponsor's research showed that a fee is effective in reducing plastic waste. Washington, D.C., and the cities of Chicago and Los Angeles found that even with modest fees of 5 to 10 cents, there were reductions of 42 to 94 percent [in plastic bag use].

MS. DELANEY pointed out variances in legislation across the U.S. Most popular seems to be banning then plastic bags and implementing a fee for paper bags, thicker plastic bags, and other types of reusable bags. She said Hawai'i has a de facto state ban [on plastic bags]. She noted that stores subsidize their costs of "free" bags by adjusting their prices. She said it is estimated that the bags cost each individual \$25-\$50 annually. There is a global movement to ban plastic bags, which

have an estimated span of use just 12 minutes long. She pointed out her own cloth bag, which she uses every day, has lasted four years, to date. She said Kenya has a strict ban, mostly for importers. In the U.S. there are 13 cities and 7 states that charge a fee for the bags and 110 cities and 18 states with a ban on plastic bags. The ban typically includes a fee for paper and other reusable bags, she said.

MS. DELANEY showed a list of Alaska boroughs and cities that currently have [regulations]: Bethel in 2010, Hooper Bay in 2010, Cordova 2016, Kodiak in 2018, and Wasilla in 2018. She offered her understanding that the City of Palmer has been talking about a ban, as well as the City and Borough of Juneau.

[10:52:52 AM](#)

MS. DELANEY offered a sectional analysis, [included in the committee packet], which read as follows:

Section 1: Adds a new section to AS 43.98—Article 5: Disposable Shopping Bag Fees. AS.43.98.080(a) imposes a fee on single-use plastic bags. AS.43.98.080(b) outlines plastic bags that do not fall under (a) of this section and so are permitted for use. AS.43.98.080(c) modifies the state regulations to account for when a city or borough has implemented their own single-use plastic bag regulations. AS.43.98.080(d-f) outlines the responsibilities of the retailer. AS.43.98.080(g) imposes a penalty for non-compliance. AS.43.98.080(h) outlines the dissemination and use of collected fees. AS.43.98.080(i) defines terms used in this section.

Section 2: Adds a new section to AS 46.06. AS 46.06.145 explains to retailers recycling program requirements for single-use plastic bags and outlines penalties for non-compliance.

Section 3: Adds an effective date of January 1, 2019.

MS. DELANEY said the fee would be 20 cents; the exceptions include bulk food bags, ice bags, and newspaper bags; the retailer must display fees on the receipt and may not reimburse the fees; the Department of Revenue (DOR) would deal with any violations; the state would get 75 percent of the fees, while 25 percent would go back to retailers to help them deal with the associated costs for the program. Retailers would be required

to accept plastic bags for recycling, which she noted many retailers already do. The plastics bags would have to show the recycle symbol, and reusable bags must be visible at checkout. Fees for violation of the program are outlined under HB 264, and the Department of Environmental Conservation (DEC) would deal with those violations. She noted that the fiscal note is \$3.3 million to the State of Alaska; it could be up to \$6.5 million if "it doesn't deter people from buying bags." Some deterrence was assumed, hence the lower fiscal amount of \$3.3 million.

[10:55:51 AM](#)

MS. DELANEY, in response to a question from Representative Kreiss-Tomkins, said the sponsor did consider including paper bags in the proposed legislation; however, the thought was that [plastic] would be a good first step. In terms of other forms of plastic waste and Styrofoam, she reemphasized how easy it is to replace plastic bags with reusable bags. She pointed out that plastic lids on beverage cups are not as easy to substitute. She said animals consume bags, which tend to get knotted in their intestinal tracks and slowly starve the animals. Plastic bags have been found in caribou stomachs, she said.

REPRESENTATIVE KREISS-TOMKINS suggested that a reusable "tumbler" could replace the need for using cups with plastic lids. He asked if there is data showing that plastic bags in the environment are more prevalent than plastic lids, for example.

MS. DELANEY said she would need to research the answer. To a follow-up question, she said she is not aware of such statistics.

[10:59:51 AM](#)

MS. DELANEY responded to questions from Representative Rauscher. She clarified that the aforementioned \$3.3 million would be brought in by the state; the cost of the program is approximately \$222,000. She reemphasized that the bags cause harm in the ocean because they break into pieces [to which toxins are attached] and then are consumed by ocean creatures. She said bags do not biodegrade well in Alaska, because it is too cold. She added, "Even in a warmer climate - in landfill - a biodegradable bag is not going to biodegrade."

[11:02:24 AM](#)

REPRESENTATIVE JOSEPHSON, to Representative Kreiss-Tomkins' question about other plastics, said he thinks the half dozen or so communities scattered across the state that have banned plastic bags have shown there is a willingness of people to "deal with plastic bags" - that there is something about plastic bags people find offensive.

[11:03:17 AM](#)

REPRESENTATIVE RAUSCHER asked if there is any documented information showing how well [bans on plastic bags] are working.

MS. DELANEY said other than the statistics she already mentioned in her presentation, she is not sure if any studies have been done in Alaska pertaining to the ban.

REPRESENTATIVE RAUSCHER painted a picture of mayhem in a reusable shopping bag caused by leaking meat and bruised kiwis making their way on a conveyor belt and into a car. He exclaimed, "I'm just trying to wrap my head around the reusable bag thing. ... I'm having a heartache with that thought."

MS. DELANEY noted that under HB 264, the smaller plastic bags used to wrap meat and produce would still be allowed. She added, "And further, you can bleach and wash a cloth bag, which I've done repeatedly, if that does happen where all of the bags you've used have torn and chaos has ensued."

[11:06:40 AM](#)

REPRESENTATIVE LINCOLN noted that Galena and Emmonak [had not been mentioned] as places that had banned plastic bags but are on the list included in the committee packet. He asked if they reverted the ban.

MS. DELANEY said she is not sure but noted there were a few communities that rescinded their bans. She said the reason for rescinding a ban varies by community. She offered her understanding that Homer had lifted its ban because residents there had not felt included in the process. She offered to investigate Co-Chair Lincoln's query if he would like to list specific communities.

REPRESENTATIVE LINCOLN asked if biodegradable plastics have solved the problem of plastic getting into the ocean food chain but not "blowing around on land."

MS. DELANEY said biodegradable plastics tend not to biodegrade in Alaska because the climate is not right. She responded to follow-up questions from Co-Chair Lincoln. She offered her understanding that [biodegradable plastic] presents a problem for marine life. She said she thinks the caribou she mentioned previously were in Mat-Su on one farm. She said 20 cents was "the upper limit of the common legislation"; therefore, the sponsor chose to start there. She said cost of living in Alaska is generally higher, and she offered her understanding that the bill sponsor is open to negotiating the fee.

REPRESENTATIVE LINCOLN said he thinks the high cost of living could be a reason not to set the fee at the high end. He said one aspect of HB 264 he likes is that municipalities and local communities could "opt in," but he asked what consideration the sponsor had given to unincorporated communities and communities with only tribal governments.

MS. DELANEY said she thinks any local government could, under HB 264, "implement as they please."

[11:10:34 AM](#)

REPRESENTATIVE JOSEPHSON offered his understanding that the proposed legislation does speak to an exemption where there is less than \$100,000 in gross sales; therefore, smaller communities would not be subject to the bill.

REPRESENTATIVE LINCOLN asked for assurance before being asked to decide on HB 264. He said \$100,000 is not that high of a figure.

REPRESENTATIVE JOSEPHSON said it requires a cultural adjustment to get a result, and he stated his belief that "people would get there." He said the City of Cordova "adopted this as a policy" and had a "GoFundMe" account where people contributed to cloth bags. He emphasized that he is not wedded to having a fee, which he indicated had been designed to help achieve a result. He said if the committee wanted to delve into the proposed legislation and, for example, change the effective date to not go into effect for two years, then the committee would not "get any grouching" from him.

REPRESENTATIVE LINCOLN said he would keep that in mind. He said he thinks the cultural and financial adjustment varies widely across the state. He stated, "I triple- and quadruple-bag jars

of seal oil - you know, "AC" bags - to make sure we don't make a mess It might not be recycled and reused in the ways that are familiar to other places in Alaska, but we use these plastic bags a lot in rural Alaska for a variety of purposes." He said there has been "enthusiastic effort" in Kotzebue, Alaska, to recycle cans "and things like that," but the cost of life in rural Alaska makes that more challenging than in urban settings.

[11:14:17 AM](#)

REPRESENTATIVE DRUMMOND asked how a fee would be applied in cities that have no sales tax.

MS. DELANEY said the fee should show on the customer's receipt as another item purchased. She affirmed this system would work for DOR. To a follow-up question, she said she would have to check to ascertain whether Kodiak being listed as a place that banned bags means the Borough of Kodiak or the City of Kodiak.

REPRESENTATIVE DRUMMOND echoed Co-Chair Lincoln's query as to whether Galena and Emmonak had repealed bans.

[11:16:56 AM](#)

CO-CHAIR PARISH asked Ms. Delaney to find out why certain communities are no longer on the list.

[11:17:09 AM](#)

REPRESENTATIVE SADDLER asked if HB 264 was "a revenue-generating measure to address an issue" or "a behavior modification effort."

[11:17:42 AM](#)

REPRESENTATIVE JOSEPHSON answered that the bill is not designed to raise revenue but to achieve a desired result. He compared it to legislation that would reduce corporate income tax, which he said was designed "to bring companies home" He said he thinks revenue-generating legislation often has "that sort of goal."

REPRESENTATIVE SADDLER asked why the sponsor chose to set up the administrative aspect of HB 264 rather than simply banning [plastic bags].

REPRESENTATIVE JOSEPHSON said he loves the idea and would not object if the committee is interested in moving that direction, as long as the effective date allows the public sufficient notice. He pointed out the benefit of "raising a little bit of revenue" during a fiscal crisis but emphasized the goal of the proposed legislation is to "mirror what happened in Washington, D.C., and Chicago and see a reduction because of ... the fee."

REPRESENTATIVE SADDLER suggested it is more appropriate to debate a ban and "avoid those costs." He reflected that the sponsor indicated he wanted to give people a choice but offered his understanding the sponsor really wants to ban plastic bags. He said he takes exception to that, because people already have a choice of whether to use a plastic or reusable bag.

REPRESENTATIVE SADDLER asked if there is a score for "environmental cost benefit" of various types of bags. He said he thinks the sponsor is hearing from the committee the desire to "apply some objective standards to this" and justify the cost of taxation or a ban.

[11:21:20 AM](#)

MS. DELANEY offered to research for an answer.

REPRESENTATIVE JOSEPHSON, in response to a question from Representative Saddler, said information is readily available on line highlighting efforts to improve the world by reducing use of plastics.

REPRESENTATIVE SADDLER noted that included in the committee packet is a letter to Ms. Delaney from Carol Montgomery referencing a "Zero Waste Coalition Plastic Bag Committee." He asked for more information.

REPRESENTATIVE JOSEPHSON said he and Ms. Delaney had talked at length once with Ms. Montgomery, who is instrumental in the Mat-Su effort. He offered his understanding that if the group is not hers, she is at least associated with it. He said he thinks she is available on line. He noted that Bert Cottle, Mayor of Wasilla, had repeatedly told him, "What you want is a ban." He speculated that the City of Wasilla must have undergone a serious effort toward its goal of banning plastic bags, and he said he thinks the city council vote was 6:1. To a follow-up question, he recommended Representative Saddler ask Ms. Montgomery, who runs the Zero Waste Coalition Plastic Bag Committee.

[11:24:37 AM](#)

REPRESENTATIVE TALERICO observed that one state has banned plastic bags statewide, while other bans have been done on a municipal level. He remarked that [the legislature] serves as "the borough assembly, so to speak," for the unorganized boroughs of Alaska. He asked the bill sponsor if he had considered focusing the proposed legislation on the unorganized boroughs "just to see if it might inspire those other organized municipal structures."

[11:25:32 AM](#)

REPRESENTATIVE JOSEPHSON answered no but said the idea is interesting. He concurred that the legislature is the assembly for unorganized boroughs, but it does not do much in that regard, although he pondered, "Maybe we should."

REPRESENTATIVE TALERICO said his community made reusable bags to hand out to people who showed up at the polls to vote. He said the effort resulted in "a serious reduction in our plastic bags in our landfill."

CO-CHAIR PARISH said he thinks that idea is wonderful.

[11:28:29 AM](#)

CO-CHAIR PARISH opened public testimony on HB 264.

[11:29:01 AM](#)

BIANCA TINKER, Environmental Coordinator, Native Village of Hooper Bay, stated that before Hooper Bay banned plastic bags, there were a lot of bags that floated around the tundra. Hooper Bay has a fence around its landfill, and the fence has plastic store bags on it, and some of the bags get loose. She said when she goes out to do subsistence gathering, she finds plastic bags. She relayed that some people in Hooper Bay found the transition to no plastic bag use challenging, because they didn't know how they were going to carry their groceries; however, with time people got used to bringing their own [reusable] bags. People are becoming more environmentally aware. She concluded, "So, we support this bill; we are in it 100 percent; we believe that it will be a really good (indisc.) to the environment."

[11:32:38 AM](#)

REPRESENTATIVE RAUSCHER expressed appreciation to Ms. Tinker for her testimony and for the pride he said he perceives she has in her community. In response to Ms. Tinker, he shared that he had been involved in the construction of a new church, a youth center, and several homes in Hooper Bay.

[11:33:52 AM](#)

REPRESENTATIVE SADDLER noted Ms. Tinker had said she worked in the Native village of Hooper Bay, and he asked for clarification.

MS. TINKER deferred to Mr. Murrán.

[11:34:20 AM](#)

BERNARD MURRAN said he is Ms. Tinker's assistant. He explained that the Native Village of Hooper Bay is a tribal government, which in the past has worked with the City of Hooper Bay on the ordinance of banning plastic bags; he said there is a memorandum of agreement. There were plastic bags all over the tundra. One time, while butchering a seal, someone found the animal had eaten a plastic bag; it was found in its stomach. He said following the ban, people bought canvas bags to use.

REPRESENTATIVE SADDLER said he would not anticipate a huge cost to change over to using canvas bags. Nevertheless, he asked, "Is that an additional cost that you at Hooper Bay would be willing to pay in order ... to eliminate the blight of the plastic bags?"

MR. MURRAN answered yes.

[11:36:40 AM](#)

MR. MURRAN, in response to questions from Representative Drummond, said Hooper Bay banned plastic bags in October 2009. At first people were not "too wild about it." He added that of a community of over 1,000, over 90 percent are Yupik Eskimo and do subsistence hunting.

[11:38:09 AM](#)

NICHOLAS WALSH, Hunting and Fishing Guide, said he has been a hunting and fishing guide since the early '80s and has seen the

impact of plastic throughout the tundra and throughout the state. He has seen bears ingest plastic bags and birds caught in bags. In the water near Prince of Wales and Kodiak, he has seen jellyfish swimming through plastic bags and eagles trying to fly with plastic bags around their talons. He said it is quite devastating. In response to Representative Saddler, he confirmed that he has heard comments about the plastic from those visitors to the state that he guides. He said long before things washed up on the beaches [of Alaska], following a tsunami [on the coast of Japan, March 2011], plastic bags were on the beaches "literally everywhere." Even with a ban today, generations will be dealing with the affects of plastic on the environment. He said he does not believe there is such a thing as a truly biodegradable plastic bag - not one that would work in Alaska's cold climate or even in a warmer climate. He said he has been to Hawai'i where he has never heard any local say the plastic ban in that state has been much of an inconvenience. He said he thinks people need to think about the next generation. He proffered many people see bags stuck in trees, but seeing the affect on animals begs the question: "Is this stuff really getting into our food chain?" He said he thinks this issue is "a no-brainer," and he remarked, "We're paying for the plastic bags." To a follow-up question, Mr. Walsh said he does not think any client has told him he/she is less likely to come to Alaska [because of plastic use].

[11:42:35 AM](#)

PATRICIA FISHER, Participant, Mid-Valley Recycling; Member, Mat-Su Zero Waste Coalition, talked about the Mat-Su Zero Waste Coalition. She said there are five recycling centers in the Mat-Su Valley, and volunteers manage those sites. Those volunteers are the people currently coming together as the Mat-Su Zero Waste Coalition, which "adopted the idea of a plastic bag ban." Ms. Fisher said Alaska's environment is suffering because of plastic bag use, which is why communities are passing plastic bag bans. She said in the news lately there have been reports from scientists saying there will be more plastic in the ocean than fish in the not-too-distant future. She opined that is it time to make the effort [to ban plastic bag use] because plastic is in food, is detrimental to health, and will severely affect children. She said the time is right to ban plastic bags. She stated, "The Mat-Su Valley is a conservative place, and yet wherever we went as a plastic bag campaign, ... the attitude of the majority of people was approval of a ban and recognition of the need for a ban." She said the Wasilla City Council voted 5:1 in favor of the ban. She said the attitude of

the public is that plastic bags are a huge problem and the problem needs to be addressed. She offered her understanding that citizens are concerned about the environment, and she urged the committee to move HB 264 forward.

[11:45:38 AM](#)

MS. FISHER, in response to Representative Rauscher, explained that the Mat-Su borough, as a second-class borough, had some difficulty augmenting an outright ban. There are legal issues as to how it should be done. The issue was put aside for a while until the mayor brought people to testify. After that, the borough removed its original [regulation], so it will not be considered. She said, "There is a movement by some of us to ask the borough to do a ban directly, which has to be voted on by the people, I believe, but that's down the road. I don't know for sure that that's what's going to happen on that."

MS. FISHER, in response to Representative Saddler, said Mid-Valley Recycling has about 20 people who come out monthly for recycling. She said recyclers get together and talk, and they formed the Zero Waste Coalition comprising members of various recycling groups. The coalition is not a 501(c)(3); there are 20-30 people on the e-mailing list; and about 10 people come to a meeting at any given time. In response to a follow-up question, she said the Zero Waste Coalition started a year and a half ago; there is a plastic bag committee within it with about the same number of people. She indicated that members worked on the plastic bag campaign since October 2016.

[11:50:48 AM](#)

LIZBETH JACKSON testified that she is a lifelong Alaskan, who owns Hatcher Pass Bed & Breakfast. She said people come to Alaska to enjoy the beauty of the state, and the last thing they want to see is a plastic bag "tangled up in a rose bush or clinging to a fence." She said tourism generates an estimated \$856 million annually in Southcentral Alaska and serves 19,700 people. She spoke of protecting the beauty of nature "without any plastic bags." Ms. Jackson opined that HB 264 is "a wonderful start" for keeping plastic out of the landscape. In response to Representative Saddler, she said the next step in making Alaska an attractive destination would be to address other forms of plastic [and Styrofoam] trash, such as single use plastic water bottles and cheap coolers. She said she would like to see more done to reduce plastic use, because it pollutes oceans and waterways and affects marine life. She indicated

that [legislation such as HB 264] is creating a conversation wherein people stop to think about whether they need to use plastic bags rather than being a community that disposes the things it uses. In response to a follow-up question as to whether passage of HB 264 could lead to future proposed legislation to ban plastic water bottles, she said, "I don't know how we'd do that." She indicated that if she saw it done effectively than she could [foresee legislation to ban plastic water bottles].

[11:55:42 AM](#)

REPRESENTATIVE RAUSCHER thanked Ms. Jackson, his constituent, for her testimony.

[11:56:41 AM](#)

CAROL MONTGOMERY, Chair, Plastic Bag Committee, Mat-Su [Zero] Waste Coalition, suggested amendments to HB 264. First, she asked that the bill ban plastic bags to be "consistent with the growing number of local plastic bag laws in Alaska." Second, she said she would like the committee to apply the 20-cent fee to all carry-out bags, "including the so-called reusable ones." She said as the proposed bill currently is written, consumers would have a choice to pay a 20-cent fee for a disposable bag or accept a thicker "reusable" bag. She pointed out that most stores generally offer those bags for no charge when there are bag bans. She questioned why any customer would pay 20 cents for a bag when he/she could get "a nicer one" for free; therefore, she said HB 264 would result in an elimination of disposable bags from the marketplace - a de facto ban.

MS. MONTGOMERY said there is a groundswell of support for the ban of plastic bags. She said Glen Allen, Alaska, banned plastic bags by petitioning its local supermarket, because the community does not have a local government. She said amending HB 264 to ban disposable bags rather than charging a fee for them would make the proposed legislation consistent with and supportive of existing local laws, and she stated her belief that this would "reduce confusion."

MS. MONTGOMERY opined that it would be more affective to apply the proposed fee to the bags that would be used to replace the disposable ones. She said HB 264 would charge for disposable bags but offer "a free pass" on "reusable" plastic bags. She said a common misconception is that reusable bags get reused, but the definition of reusable bags includes plastic bags that

are thicker than 2.25 mils, which makes them less flimsy and capable of carrying more weight. The slightly thicker bags are the least expensive alternative for retailers. In Chicago and California and Hawai'i, where Ms. Montgomery said single-use plastic shopping bags were banned, customers have no incentive to reuse the thicker bags, because they are being given them at no charge every time they go through a checkout line. Chicago, California, and Hawai'i had to create further laws to add a fee for the reusable bags. She said she has spoken with corporate representatives, including those from Walmart, Kroger, Safeway, Fred Meyer, and Carrs, and has been told they support any legislation desired by a community but ask that any plastic bag ban include a mandated "pass-through fee" for the bags that will be used to replace the disposable bags, because the bags are expensive and they don't want to be the first store to charge for the bags.

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MOLLIE BOYER, Executive Director, Valley Community for Recycling Solutions, testified in support of the effort through HB 264 to reduce the negative impacts of plastic bags in Alaska. She said four years ago, third-graders attending a field trip at a recycling center learned about what plastics are made from and which plastics can be recycled. One of the participants shared that earlier that day the class had gone to the University of Alaska Fairbanks (UAF) Experimental Farm and, during a presentation there, were shown plastic bags that were pulled from a caribou stomach that morning. Ms. Boyer said this was the first the recycling center had heard of this happening. She found out this is "normal." The researcher collects loose plastic from around the farm, but two caribou have died from blockage. She said he has also pulled plastic bags from the stomach of a moose, but he is not aware of any moose dying from consumption of plastic. Ms. Boyer said plastic bags do not decompose; they can only photodegrade, breaking down into smaller pieces of plastic when exposed to sun. In the darkness of a stomach, the bags cannot even break down. She said those third-grade fieldtrip participants lead those working at the recycling center to understand that plastic is not just a problem in oceans but also on land, in neighborhoods. She said the recycling center has shared the story and continues to hear stories about animals dying from blockage, including reindeer at a local bed and breakfast. Local dogs and a horse have also died from ingesting plastic. A nurse in Anchorage said she has treated toddlers for blockage caused by sucking on and ingesting plastic. She said unfortunately death from ingesting plastic

can be confirmed only by performing a necropsy, which is an expensive procedure.

MS. BOYER continued as follows:

From the impacts on state economics via the fishing industry and tourism to livestock and subsistence to the health of our pets and our children, the negative impacts from plastic bags are real. They are not just unsightly; they are deadly, out loos in our environment. This is an important issue for the State of Alaska to address for the long-term good of all Alaskans. Thank you for working on this legislation and thank you to the children for raising our awareness. Let's show them that we can do better.

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MARY NANUWAK opined that it is not only the shopping bag that should be recycled. She said there are all types of environmental contaminants, including paper, plastic, cigarette butts, feces, and urine. She said she cannot understand why these should be [addressed] separately. She added, "I think these should all be together so that money can be saved, time can be saved, stress can be saved, frustration can be saved." She said it seems that when there is contamination of any sort, the indigenous people are always blamed, when, she stated, "We are the coolest conservationists." She said Native Alaskans take containers to collect [waste] when on the water or on land, and they always "end up more with trash - with contaminates - than what we go (indisc.) for, and I think everyone should (indisc.) that." Ms. Nanuwak talked about putting intelligence to use, and she stressed education and prevention. She said contamination goes everywhere - it does not stay in one place - and she often wonders when intelligent (indisc.) are going to see the affects [of contamination]. She said contaminates are going "to increase a whole lot because of the global warming," the effects of which she said everyone has been ignoring. She questioned why people cannot see the connections. Nothing is constant; everything is changing; and often changes have negative effects, she concluded.

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CAROL HOOVER, Eyak Preservation Council (EPC), stated that Cordova has a ban on both plastic bags and Styrofoam. She said fishermen would purchase food and put them in double and triple

bags. She said there was a landfill fire that maintained itself for four months because of plastic bags. She said there were plastic bags floating in the harbor. She relayed that EPC and some high school students began a movement for a plastic bag ban. They printed 1,000 canvas bags, on which were messages to reduce, reuse, and recycle. They gave the bags away to residents and the fishermen. They utilized the press to get the message out that [using plastic bags] is a habit that can be broken. She said the initiative passed. She said she is not certain how Cordova's initiative will meld with HB 264, but now fishermen bring their own bags and boxes to store food. She said one of the biggest allies were the people who worked in the refuse department in Cordova. She relayed there was a lot of grumbling about [the ban] at first, but now people remember to carry their bags. She opined that the testimony [of Ms. Nanuwak] was wise. She remarked that people should not drink from plastic bottles that have been sitting in the sun, because there is a form of estrogen in it that is not healthy - it is a carcinogen. She said she has not heard anything [in other people's testimony] with which she would disagree. She said it would be great if Alaska led the way in banning plastic bags "for all the reasons that have been stated." She commented that one of the first countries that banned plastic bags was China. She thanked the committee for its consideration of HB 264.

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REPRESENTATIVE RAUSCHER noted he had sent a text to Jim Sykes, a member of the Mat-Su Borough Assembly, to inquire whether the borough was trying to accomplish a ban or a tax. He said he received a response indicating that the borough had voted down the tax and may or may not take up the idea of a ban.

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CO-CHAIR PARISH announced that he would hold public testimony on HB 264 open.

[HB 264 was held over.]

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ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 12:18 p.m.